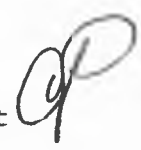




STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

3601 West Washington • Yakima, Washington 98903 • (509) 575-2800

M E M O R A N D U M

TO: **Joan McNamee, EPA** FROM: Clar Pratt 
SUBJECT: Proposed Three-Party Memorandum Of Understanding--USDA, Yakima DATE: April 11, 1983

AS I mentioned in our phone conversation of this afternoon, it is our understanding here after talking with the USDA Regional Administrator in California--who did not attend our explanation session here in Yakima--that their attorneys have advised them to (1) back off from any Memorandum of Understanding, (2) submit their intentions for follow-up investigation, and (3) to concentrate on protesting against listing. I will write a letter to that regional administrator, based on the understanding Dennis and I have gained in our phone conversations of today. I will include, as you suggested, the offer that their attorney might wish to talk to the EPA attorney to further explore the pros and cons of their position.

The present status in this office is general disappointment. I thought that you and I could probably work out all the relatively small arguments about wording in such a memorandum, get it approved by all the superiors, and have a nice, clean, short, easy-to-understand document which would result in everybody being comfortable, as well as affecting full investigation and clean-up of contamination as there may be. It looks like that may not happen at this site, but I will do everything I can to keep the offer open.

Meanwhile, sending along our redraft (No. 2) of your original draft of the memorandum of understanding. I have underlined the wording in question on both your draft No. 1 and our draft No. 2. I don't think we should abandon this vehicle, as it promises in my opinion to be a very clean, workable document that can accomplish a lot for both of us while avoiding a lot of red tape, duplication, and delay. Appreciate if you would look it over, have your people review and send comments. Hopefully, we can use this same document for two party agreement concerning FMC, and others that come up as you might judge appropriate for this level of legal document.

CP:le

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